

DOCKET NO.: IVOO-0178

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**In Re Application of:**

**Charles Eric Hunter, Bernard L. Ballou, Jr.,**

**Kelly C. Sparks and John H. Hebrank**

**Confirmation No.: 9374**

**Application No.: 09/855,992**

**Group Art Unit: 3621**

**Filing Date: May 15, 2001**

**Examiner: Pierre E. Elsca**

**For: MUSIC DISTRIBUTION SYSTEMS**

**EXPRESS MAIL LABEL NO: EV670669249US  
DATE OF DEPOSIT: July 29, 2005**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

**INFORMATION DISCLOSURE STATEMENT**

Pursuant to 37 CFR § 1.56 and in accordance with 37 CFR §§ 1.97-1.98, information relating to the above-identified application is hereby disclosed. Inclusion of information in this statement is not to be construed as an admission that this information is material as that term is defined in 37 CFR § 1.56(b).

In accordance with § 1.97(b), since this Information Disclosure Statement is being filed either within three months of the filing date of the above-identified application, within three months of the date of entry into the national stage of the above identified application as set forth in § 1.491, before the mailing date of a first Office Action on the merits of the above-identified application, or before the mailing date of a first Office Action after the filing of request for continued examination under § 1.114, no additional fee is required.

In accordance with § 1.97(c), this Information Disclosure Statement is being filed after the period set forth in § 1.97(b) above but before the mailing date of either a Final Action under § 1.116 or a Notice of Allowance under § 1.311, or before an action that otherwise closes prosecution in the application, therefore:

Certification in Accordance with § 1.97(e) is attached; or

The fee of \$180.00 as set forth in § 1.17(p) is attached.

In accordance with § 1.97(d), this Information Disclosure Statement is being filed after the mailing date of either a Final Action under § 1.113 or a Notice of Allowance under § 1.311 but before, or simultaneously with, the payment of the Issue Fee, therefore included are: Certification in Accordance with § 1.97(e); and the submission fee of \$180.00 as set forth in § 1.17(p).

Copies of reference numbers **63-73** and **75-79** listed on the attached Form PTO-1449 are enclosed herewith. A copy of reference **74** (Taiwan patent application TW90101479) was cited by previous counsel in a related patent application. However, this document is not available to the public because it is currently under examination.

Copies of reference numbers **1-62** on the attached Form PTO 1449 are not required to be submitted pursuant to 37 CFR § 1.98(a)(2)(i).

Copies of references - are not being submitted because they were previously cited by or submitted to the U.S. Patent and Trademark Office in patent application number , filed for which a claim for priority under 35 U.S.C. § 120 has been made in the instant application.

The relevance of those listed references which are not in the English language is as follows:

There are no listed references which are not in the English language.

Please charge any deficiency or credit any overpayment to Deposit Account No. 23-3050. This form is submitted in duplicate.

Date: **July 29, 2005**

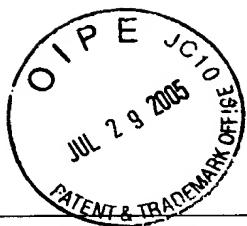


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<b>Form PTO-1449 Modified</b>		Docket No. <b>IVOO-0178</b>	Application No. <b>09/855,992</b>
List of Patent and Publications Cited by Applicant (Use several sheets if necessary)		Applicant <b>Charles Eric Hunter, Bernard L. Ballou, Jr., Kelly C. Sparks and John H. Hebrank</b>	
U.S. Department of Commerce Patent and Trademark Office		Filing Date <b>May 15, 2001</b>	Group <b>3621</b>
		Confirmation No. <b>9374</b>	
<b>OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)</b>			
	<b>1</b>	U.S. Patent Application No. 11/085,944 Charles Eric HUNTER et al. (filed March 21, 2005).	
<b>EXAMINER</b>		<b>DATE CONSIDERED</b>	



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**U. S. PATENT DOCUMENTS**

Examiner Initial	Document No.	Date	Name	Class	Subclass
2	4,789,863	12/06/88	Bush	340	5.9
3	4,794,465	12/27/88	Van Luyt et al.	386	100
4	4,809,325	02/28/89	Hayashi et al.	380	234
5	5,438,355	08/30/95	Palmer	725	110
6	5,440,334	08/01/95	Walters et al.	725	92
7	5,469,206	11/21/95	Strubbe et al.	725	60
8	5,483,278	01/09/96	Strubbe et al.	725	61
9	5,483,535	01/09/96	McMillen et al.	370	452
10	5,550,863	08/27/96	Yurt et al.	375	240
11	5,572,442	11/05/96	Schulhof et al.	709	219
12	5,610,653	03/11/97	Abecassis	348	170
13	5,621,840	04/15/97	Kawamura et al.	386	68
14	5,682,206	10/28/97	Wehmeyer et al.	725	58
15	5,729,214	03/17/98	Moore	340	905
16	5,734,720	03/31/98	Salganicoff	380	211
17	5,790,935	08/04/98	Payton	422	186
18	5,815,662	09/29/98	Ong	725	92
19	5,857,020	01/05/99	Peterson, Jr.	705	52
20	5,862,260	01/19/99	Rhoads	382	232
21	5,905,713	05/18/99	Anderson et al.	370	241

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Examiner Initial	Document No.	Date	Name	Class	Subclass
22	5,915,018	06/22/99	Aucsmith	380	201
23	5,931,901	08/03/99	Wolfe et al.	709	206
24	5,956,716	09/21/99	Kenner et al.	707	10
25	5,959,885	09/28/99	Kameswara	365	185.07
26	5,963,217	10/05/99	Grayson et al.	345	473
27	6,005,938	12/21/99	Banker et al.	380	239
28	6,006,332	12/21/99	Rabne et al.	713	201
29	6,012,086	01/04/00	Lowell	709	218
30	6,029,141	02/22/00	Bezos et al.	725	27
31	6,032,130	02/29/00	Alloul et al.	705	27
32	6,061,440	05/09/00	Delaney et al.	379	202.01
33	6,064,980	05/16/00	Jacobi et al.	705	26
34	6,069,868	05/30/00	Kashiwagi	369	275.1
35	6,081,785	06/27/00	Oshima et al.	705	1
36	6,088,455	07/11/00	Logan et al.	380	200
37	6,088,722	07/11/00	Herz et al.	709	217
38	6,119,096	09/12/00	Mann et al.	705	5
39	6,141,530	10/31/00	Rabowsky	725	116
40	6,151,600	11/21/00	Dedrick	707	10
41	6,175,840	01/16/01	Chen et al.	707	501.1

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**U. S. PATENT DOCUMENTS**

Examiner Initial	Document No.	Date	Name	Class	Subclass
42	6,177,931	01/23/01	Alexander et al.	725	52
43	6,229,453	05/08/01	Gardner et al.	340	853.8
44	6,249,532	06/19/01	Yoshikawa et al.	370	486
45	6,269,394	07/31/01	Kenner et al.	709	217
46	6,272,636	08/07/01	Neville et al.	713	189
47	6,385,596	05/07/02	Wiser et al.	705	51
48	6,400,996	06/04/02	Hoffberg et al.	700	83
49	6,424,998	07/23/02	Hunter	709	207
50	6,430,603	08/06/02	Hunter	709	207
51	6,430,605	08/06/02	Hunter	709	207
52	6,438,579	08/20/02	Hosken	709	203
53	6,463,467	10/08/02	Mages et al.	709	218
54	6,496,822	12/17/02	Rosenfelt et al.	707	9
55	6,522,769	02/18/03	Rhoads et al.	382	100
56	6,611,820	08/26/03	Oshima et al.	705	56
57	6,625,333	09/23/03	Wang et al.	382	300
58	2002/0056112	06/03/99	Dureau et al.	725	78
59	2002-0056118	08/28/99	Hunter et al.	725	87
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**FOREIGN PATENT DOCUMENTS**

Examiner Initial		Document No.	Date	Country	Translation	
					YES	NO
	63	EP 0 756 423 A1	01/29/97	EPO		
,	64	WO 92/22983	12/23/92	PCT		
,	65	WO 94/13107	06/09/94	PCT		
,	66	WO 00/05886	02/03/00	PCT		
,	67	WO 00/14965	03/16/00	PCT		
,	68	WO 01/01677	01/13/00	PCT		
,	69	WO 01/17242	03/08/01	PCT		
,	70	WO 01/54324	07/26/01	PCT		
,	71	WO 01/74050	10/04/01	PCT		
,	72	WO 01/82625	11/01/01	PCT		
,	73	503657 (Appl'n No. 89117223)	08/25/00	Taiwan	X (English Abstract Only)	
,	74	90101479**	01/10/01	Taiwan		
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,	76	JP360253082	12/13/85	Japan	X (English Abstract Only)	
,	77	JP2002015333	01/18/02	Japan	X (English Abstract Only)	
,	78	JP2002099283	04/05/02	Japan	English Abstract Submitted Only	
,	79	JP2002156979	05/31/02	Japan	X (English Abstract Only)	
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\*\* This Taiwan patent application was cited by previous counsel in a related patent application. However, this document is not available to the public because it is currently under examination.